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**FISCAL IMPACT STATEMENT**

**LS 7107**

**BILL NUMBER:** HB 1411

**NOTE PREPARED:** Feb 19, 2013

**BILL AMENDED:** Feb 14, 2013

**SUBJECT:** Court Staff Attorney Pilot Program.

**FIRST AUTHOR:** Rep. Washburne

**FIRST SPONSOR:** Sen. Delph

**BILL STATUS:** As Passed House

**FUNDS AFFECTED:** X **GENERAL  
DEDICATED  
FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill has the following provisions:

- A. *Pilot Program* – It creates the Circuit and Superior Court Staff Attorney Pilot Program (Pilot Program) to provide assistance to courts with preparing orders for complex motions.
- B. *Judicial Center* – It requires the Judicial Center to administer the pilot program and to report to the Commission on Courts (Commission) concerning the pilot program.
- C. *Commission on Courts* – It requires the Commission to receive reports concerning the pilot program, and allows the Commission to make recommendations and to propose legislation concerning the pilot program.

**Effective Date:** July 1, 2013.

**Explanation of State Expenditures:** (Revised) If parties to a case in certain pilot counties request assistance from the Judicial Center in complex civil cases, the Judicial Center could appoint senior judges, third-year law students, or staff attorneys to assist the court. The costs of this assistance could be recovered by a fee, depending on the fee level.

As proposed, this bill would require the Indiana Judicial Center to administer a pilot project so that either senior judges, third-year law students, or staff attorneys would be available for courts of record to use to prepare orders to grant or deny motions in complex cases. The pilot project would involve five counties of varying populations, with two small counties (fewer than 50,000), two medium (between 50,000 and 200,000), and one large (greater than 200,000). The Judicial Center would also be required to establish guidelines for courts that

are using this pilot program.

(Revised) Background– The Indiana Supreme Court annually reports the number of cases disposed by type and by method. Civil cases include civil plenary (more complex cases involving contract disputes and actions seeking equitable or injunctive relief), mortgage foreclosures, civil collections and civil torts.

Selected Civil Cases Disposed in CY 2011				
<u>Type of Civil Case</u>	<u>Civil Plenary</u>	<u>Mortgage Foreclosure</u>	<u>Civil Collections</u>	<u>Civil Tort</u>
Total Disposed	12,136	28,417	77,732	10,092

The Commission on Courts is a statutory commission that reviews court-related issues and programs.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** See *Explanation of State Expenditures*.

**Explanation of Local Revenues:**

**State Agencies Affected:** Indiana Judicial Center.

**Local Agencies Affected:** Trial courts.

**Information Sources:** *2011 Indiana Judicial Report*.

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